

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JUAN F. ANAYA §
VS. § CIVIL ACTION NO. 1:22cv199
WARDEN, FCI GREENVILLE §

MEMORANDUM OPINION AND ORDER REGARDING VENUE

Petitioner Juan F. Anaya, an inmate confined in the Federal Correctional Institution at Greenville, Illinois (“FCI-Greenville”), filed what has been construed as a petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2241.

A petition filed pursuant to Section 2241 must be filed in the judicial district where the petitioner is incarcerated. *United States v. Gabor*, 905 F.2d 76, 78 (5th Cir. 1990).¹ FCI-Greenville is located in Bond County, Illinois. Pursuant to 28 U.S.C. § 93, Bond County is in the Southern District of Illinois. As petitioner is not confined within the Eastern District of Texas, this court lacks jurisdiction over his petition. Accordingly, this petition will be transferred to the United States District Court for the Southern District of Illinois.

ORDER

For the reasons set forth above, it is **ORDERED** that this petition for writ of habeas corpus is **TRANSFERRED** to the United States District Court for the Southern District of Illinois.

SIGNED this 25th day of May, 2022.



Zack Hawthorn
United States Magistrate Judge

¹ Pursuant to 28 U.S.C. § 2241(d), an application for a writ of habeas corpus filed by a person incarcerated pursuant to judgment of a state court may be filed in the federal judicial district where the petitioner is incarcerated or the district in which he was convicted. However, petitioner is not incarcerated pursuant to a state court judgment.